

REMARKS

In the Office Action, the Examiner rejected claims 1-4. By this paper, the Applicants add new claims 51-61. These new claims do not add any new matter. As discussed below, the Applicants choose to swear behind Barkhoudarian, U.S. Patent Application Publication No. 2004/0060371, which is the basis for all of the rejections in the present Office Action. As soon as possible, the Applicants will submit a declaration pursuant to 37 C.F.R. 1.131 ("Rule 131 Declaration") and associated exhibits to supplement the present response. Accordingly, the Applicants submit that the present application will be in condition for allowance.

Rejections Under 35 U.S.C. § 102

As noted above, the Examiner rejected claims 1, 3, and 4 under 35 U.S.C. § 102(e) as anticipated by Barkhoudarian. Again, the Applicants will expeditiously submit a Rule 131 Declaration and associated exhibits to swear behind Barkhoudarian. In addition, Barkhoudarian fails to teach or suggest each and every feature of the present claims.

Regarding independent claim 1, Barkhoudarian fails to teach or suggest "an on site monitor in communication with the sensors, and loaded with instructions to implement a method for detecting whether a rub is occurring in the turbomachine." Paragraph [0054] cited by the Examiner simply discloses that "[r]ubbing blades have very high amplitude signals." Barkhoudarian, paragraph [0054]. The foregoing paragraph does not teach or suggest "detecting whether a rub is occurring in the turbomachine," as recited by independent claim 1. In addition, paragraph [0015] cited by the Examiner merely discloses "signals ... to detect, isolate and predict catastrophic failures, remaining life and needed maintenance" without any mention of whether a rub is occurring in the turbomachine. Barkhoudarian, paragraph [0015]. For this reason, the Applicants respectfully stress that Barkhoudarian cannot anticipate independent claim 1.

Regarding independent claims 3 and 4, Barkhoudarian fails to teach or suggest “determining whether a rub is occurring.” Paragraph [0054] cited by the Examiner simply discloses that “[r]ubbing blades have very high amplitude signals.” Barkhoudarian, paragraph [0054]. The foregoing paragraph does not teach or suggest “determining whether a rub is occurring,” as recited by independent claims 3 and 4. In addition, paragraph [0015] cited by the Examiner merely discloses “signals ... to detect, isolate and predict catastrophic failures, remaining life and needed maintenance” without any mention of whether a rub is occurring in the turbomachine. Barkhoudarian, paragraph [0015]. For this reason, the Applicants respectfully stress that Barkhoudarian cannot anticipate independent claims 3 and 4.

For at least these reasons, the Applicants respectfully request withdrawal of the foregoing rejections under 35 U.S.C. § 102.

Rejections Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claim 2 under 35 U.S.C. § 103(a) as unpatentable over Barkhoudarian in view of Ghanime, U.S. Patent No. 6,591,296. Claim 2 depends directly from independent claim 1. Again, the Applicants will expeditiously submit a Rule 131 Declaration and associated exhibits to swear behind Barkhoudarian. In addition, the Applicants stress that Ghanime does not obviate the deficiencies of Barkhoudarian with regard to independent claim 1. Accordingly, the Applicants respectfully request withdrawal of the foregoing rejection under 35 U.S.C. § 103.

New Claims

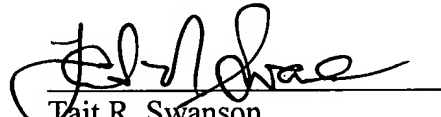
As noted above, the Applicants hereby add new claims 51-61. These claims do not add any new matter. In addition, the Applicants stress that the claims are currently in condition for allowance in view for the same reasons as discussed above.

Conclusion

The Applicants respectfully submit that all pending claims should be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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